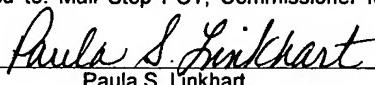


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|---|--|
| CERTIFICATE OF EXPRESS MAILING  |  |
| <b>NUMBER: EV 691725900 US</b>  |  |
| DATE OF DEPOSIT: January 4, 2006  |  |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |  |
| <br>Paula S. Linkhart   |  |

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Kim A. Beazley**  
**Ken L. Ferreira**  
**Shari Fitzpatrick**  
**Mark H. McCaslin**  
**Carlos C. Reyes**

Serial No.: **10/541,834**

Filed:

For: **GLYPHOSATE TOLERANT ALFALFA**  
**EVENTS AND METHODS FOR**  
**DETECTION**

§ Confirmation No.: 4277  
 § Group Art Unit:  
 § Examiner:  
 § Atty. Dkt. No.: **11899.0237.PCUS00**

§ 35 U.S.C. §371 Application of  
 § PCT/US04/00812; filed January 14, 2004

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN**  
**THE UNITED STATES DESIGNATED/ELECTED OFFICE**

**MAIL STOP PCT**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Requirements under 35 USC 371, dated November 17, 2005, there are enclosed herewith:

- (a) A copy of the Notice to File Missing Requirements under 35 U.S.C. 371;
- (b) Inventors Declarations executed by inventors, Kim A. Beazley, Ken L. Ferreira, Shari Fitzpatrick, Mark H. McCaslin, and Carlos C. Reyes;

- (c) Substitute nucleotide sequence listing disclosure- paper copy;
- (d) Substitute nucleotide sequence listing disclosure- computer readable form;
- (e) Statement under 37 CFR 1.821- 1.825;
- (f) Second Preliminary Amendment; and
- (g) Postcard.

Additionally, Applicants are concurrently submitting the following materials in support of the present application, under separate cover:

- (h) Coversheet and Assignments to Monsanto Technology LLC and Forage Genetics, Inc.

It is believed that no additional charges are due at this time. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/11899.0237.PCUS00.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Patricia A. Kammerer  
Reg. No. 29,775  
ATTORNEY FOR ASSIGNEE  
Monsanto Technology LLC

CUSTOMER No. 45,607  
HOWREY LLP  
1111 Louisiana, 25<sup>th</sup> Floor  
Houston, Texas 77002  
(713) 787-1400

Date: January 4, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

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|  |                       |                   |
|--|-----------------------|-------------------|
| U.S. APPLICATION NUMBER NO.  | FIRST NAMED APPLICANT | ATTY. DOCKET NO.  |
| 10/541,834   | Kim A Beazley         | 11899.0237.PCUS00 |
| INTERNATIONAL APPLICATION NO.  |                       |                   |
| PCT/US04/00812   |                       |                   |
| LA. FILING DATE  | PRIORITY DATE         |                   |
| 01/14/2004   | 01/31/2003            |                   |
| <b>CONFIRMATION NO. 4277</b>   |                       |                   |
| <b>371 FORMALITIES LETTER</b>  |                       |                   |
| <br>*OC000000017470380* |                       |                   |

Date Mailed: 11/17/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/12/2005
- Copy of the International Search Report filed on 07/12/2005
- Preliminary Amendments filed on 07/12/2005
- Information Disclosure Statements filed on 07/12/2005
- Biochemical Sequence Listing filed on 07/12/2005
- U.S. Basic National Fees filed on 07/12/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,**

**WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

DEBORAH D WILLIAMS

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Telephone: (703) 308-9140 EXT 205

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO.  |
|-----------------------------|-------------------------------|-------------------|
| 10/541,834                  | PCT/US04/00812                | 11899.0237.PCUS00 |

FORM PCT/DO/EO/905 (371 Formalities Notice)